

CALIFORNIA LEGISLATURE

2019–20 REGULAR SESSION

SENATE DAILY JOURNAL

TWENTY-SEVENTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, February 19, 2019

The Senate met at 2:02 p.m.

Hon. Connie M. Leyva, of the 20th District, presiding.

Secretary Erika Contreras at the Desk.

Assistant Secretary Zachary L. Twilla reading.

PROCEEDINGS UNDER QUORUM CALL OF THE SENATE ROLL CALL

The roll was called and the following Senators answered to their names:

Archuleta, Atkins, Bates, Beall, Borgeas, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk—34.

Quorum present.

(NOTE: Senator Allen will be excused this day due to illness in the family. Senators Bradford and Skinner will be excused this day on legislative business. Senator Mitchell will be excused this day on personal business.)



PRAYER

Prayer was offered by the Chaplain, Sister Michelle Gorman, RSM:

Gracious God, in this world of so many messages, we often feel overwhelmed. Sometimes we barely hear Your voice amid the clamor of each day's discouraging news. In what can seem like unrelenting struggle, we strain to feel Your peace.

Help us each day to pay attention:

To notice which words, pictures, and attitudes are forming us—

To use our ears to hear You, our eyes to see You, and our voices to speak Your love.

Grant us the courage to challenge falsehood, to distinguish honesty from hypocrisy, to see goodness where it lives, and to overcome world-weariness and despair with our unrelenting commitment to the common good. We ask this in Your name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Senator Wiener led the Senate in the Pledge of Allegiance to the Flag.

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

Senate Bill 330: By Senator Skinner—An act to add and repeal Sections 65358.5, 65850.10, 65905.5, 65913.3, and 65913.10 of the Government Code, and to add and repeal Section 17921.8 of the Health and Safety Code, relating to housing.

Senate Bill 331: By Senator Hurtado (Principal coauthor: Assembly Member Levine) (Coauthor: Senator Beall)—An act to add Section 4098.6 to the Welfare and Institutions Code, relating to suicide prevention.

Senate Bill 332: By Senators Hertzberg and Wiener—An act to add Section 13557.5 to the Water Code, relating to water.

Senate Bill 333: By Senator Wilk (Coauthors: Senators Bates, Chang, Glazer, and Wiener) (Coauthors: Assembly Members Diep, Flora, Gallagher, Lackey, Mathis, and Voepel)—An act to add Section 8258.5 to the Welfare and Institutions Code, relating to homelessness.

Senate Bill 334: By Senator Pan—An act to amend Section 1261 of the Business and Professions Code, relating to healing arts.

Senate Bill 335: By Senator Hurtado—An act to amend Section 13289 of the Water Code, relating to water.

Senate Bill 336: By Senator Dodd—An act to add Section 99174 to the Public Utilities Code, relating to transportation.

Senate Bill 337: By Senator Skinner—An act to amend Sections 17500 and 17504 of the Family Code, and to amend Section 11477 of the Welfare and Institutions Code, relating to child support.



**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

Senate Resolution 16—Relative to teen dating violence awareness and prevention.

Resolution read third time and presented by Senator Rubio.

Roll Call

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Rubio moved a call of the Senate.

Motion carried.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

Assembly Concurrent Resolution 9—Relative to India Republic Day.

Resolution read third time and presented by Senator Archuleta.

Roll Call

The roll was called and the resolution was adopted by the following vote:

AYES (34)—Senators Archuleta, Atkins, Bates, Beall, Borgeas, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

Resolution ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH (SR 16)**

On motion of Senator Rubio, further proceedings under the call of the Senate were dispensed with.

Roll Call

The names of the absentees were called and SR 16 was adopted by the following vote:

AYES (34)—Senators Archuleta, Atkins, Bates, Beall, Borgeas, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.



**CONSIDERATION OF DAILY FILE (RESUMED)
SPECIAL CONSENT CALENDAR**

Assembly Concurrent Resolution 13—Relative to Fred Korematsu Day of Civil Liberties and the Constitution.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

(NOTE: See Special Consent Calendar Roll Call)

Assembly Concurrent Resolution 15—Relative to California Fitness Week.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

(NOTE: See Special Consent Calendar Roll Call)

Assembly Concurrent Resolution 16—Relative to the Lunar New Year celebration.

Resolution read third time, adopted, and ordered transmitted to the Assembly.

(NOTE: See Special Consent Calendar Roll Call)

Special Consent Calendar Roll Call

The roll was called and the above measures on the special consent calendar passed by the following vote:

AYES (34)—Senators Archuleta, Atkins, Bates, Beall, Borgeas, Caballero, Chang, Dodd, Durazo, Galgiani, Glazer, Grove, Hertzberg, Hill, Hueso, Hurtado, Jackson, Jones, Leyva, McGuire, Monning, Moorlach, Morrell, Nielsen, Pan, Portantino, Roth, Rubio, Stern, Stone, Umberg, Wieckowski, Wiener, and Wilk.

NOES (0)—None.

**PRIVILEGES OF THE FLOOR
SPECIAL INTRODUCTIONS**

Senator Nielsen presented a memorial resolution to Sidney and Ivy Nickolas, in remembrance of the life of Michele Renee Nickolas.

At 2:21 p.m., Hon. Mike McGuire, of the 2nd District, Presiding

LEAVES OF ABSENCE

The following Senator was granted leave of absence for the day due to illness in the family: Senator Allen.

The following Senators were granted leaves of absence for the day on legislative business: Senators Bradford and Skinner.

The following Senator was granted leave of absence for the day on personal business: Senator Mitchell.



**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE
SENATE DISPENSED WITH**

At 2:23 p.m., on motion of Senator Atkins, further proceedings under the quorum call of the Senate were dispensed with.

MOTION TO ADJOURN

Senator Atkins moved that the Senate stand in recess. The Desk shall remain open to receive communications and to conduct the business of the day. At which time, the Senate will adjourn until Wednesday, February 20, 2019.

Motion carried.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, February 19, 2019

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

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E. DOTSON WILSON, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, February 19, 2019

Mr. President: The Chair of the Committee on Rules, to which were referred:

SB 12

SB 67

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

ATKINS, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 12—An act relating to mental health.

Bill read second time.

Senate Bill 67—An act to add Section 12012.100 to the Government Code, relating to tribal gaming, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments were read and adopted and the measures ordered printed, engrossed, and re-referred to the committee.



Committee on Business, Professions and Economic Development

Date of Hearing, February 19, 2019

Mr. President: The Committee on Business, Professions and Economic Development, to which was referred:

AB 149

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Appropriations.

GLAZER, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Appropriations

Senate Chamber, February 19, 2019

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

AB 149

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

PORTANTINO, Chair

Second Reading of Bills—Author's Amendments

Assembly Bill 149—An act to amend Sections 11162.1 and 11164 of, and to add Section 11162.2 to, the Health and Safety Code, relating to controlled substances, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, and re-referred to the committee.

Committee on Education

Date of Hearing, February 19, 2019

Mr. President: The Committee on Education, to which was referred:

SB 126

Reports the same back with the recommendation: Do pass.

LEYVA, Chair

Above bill ordered to second reading.



INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

Senate Bill 338: By Senator Hueso—An act to amend Section 368.5 of, and to add Section 368.6 to, the Penal Code, and to amend Section 15650 of the Welfare and Institutions Code, relating to elder and dependent adult abuse.

Senate Bill 339: By Senator Jones—An act to amend Section 8776 of the Business and Professions Code, relating to professions and vocations.

Senate Bill 340: By Senator Stone—An act to add Section 2704.096 to the Streets and Highways Code, relating to transportation.

Senate Bill 341: By Senator Morrell—An act to amend Section 22324 of the Education Code, to amend Sections 7507.5, 20229, 100014, and 100032 of the Government Code, and to amend Section 220 of the Labor Code, relating to public employment, and making an appropriation therefor.

Senate Bill 342: By Senator Hertzberg—An act to amend Section 326 of the Business and Professions Code, relating to consumer complaints.

Senate Bill 343: By Senator Pan—An act to amend Sections 1385.03, 1385.045, 1385.07, 128735, 128740, and 128760 of the Health and Safety Code, and Section 10181.45 of the Insurance Code, relating to healthcare.

Senate Bill 344: By Senator McGuire—An act to amend Section 17010 of the Revenue and Taxation Code, relating to taxation.

Senate Bill 345: By Senator Galgiani—An act to amend Section 1569.47 of the Health and Safety Code, relating to residential care facilities for the elderly.

Senate Bill 346: By Senator Jackson—An act to add Article 23.3 (commencing with Section 8490) to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, relating to after school programs.

Senate Bill 347: By Senator Monning (Coauthors: Senators Allen, Hertzberg, Mitchell, Pan, Skinner, and Wiener) (Coauthors: Assembly Members Bloom, Bonta, Chiu, McCarty, and Wood)—An act to add Article 15 (commencing with Section 111224) to Chapter 5 of Part 5 of Division 104 of the Health and Safety Code, relating to public health.

Senate Bill 348: By Senator Chang (Coauthor: Assembly Member Kiley)—An act to add Chapter 6 (commencing with Section 12897) to Part 2.5 of Division 3 of Title 2 of the Government Code, relating to state government.



Senate Bill 349: By Senator Portantino (Principal coauthor: Assembly Member Ramos)—An act to amend Sections 17935, 17941, 17948, and 23153 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Senate Bill 350: By Senator Hertzberg—An act to amend Sections 365.1 and 380 of the Public Utilities Code, relating to electricity.

Senate Bill 351: By Senator Hurtado—An act to amend Section 75241 of the Public Resources Code, relating to climate change.

Senate Bill 352: By Senator Dodd—An act to add Section 23828 to the Business and Professions Code, relating to alcoholic beverages.

Senate Bill 353: By Senator Skinner—An act to amend Section 13202 of the Penal Code, relating to criminal justice data.

Senate Bill 354: By Senator Durazo—An act to amend Sections 70032 and 70033 of the Education Code, relating to postsecondary education.

Senate Bill 355: By Senator Portantino—An act to amend Section 54956.96 of the Government Code, relating to joint powers.

Senate Bill 356: By Senator McGuire—An act to add Section 93029 to the Government Code, and to amend Sections 105001, 105003, 105012, and 105020 of, to add Sections 105032.5 and 105088 to, and to repeal Sections 105104, 105105, and 105180 of, the Public Utilities Code, relating to transportation.

Senate Bill 357: By Senator Borgeas—An act to add Section 102779 to the Health and Safety Code, relating to vital statistics.

The following measures were offered and referred to the Committee on Rules:

Senate Concurrent Resolution 16: By Senator Pan—Relative to a Day of Remembrance.

Senate Resolution 18: By Senators Leyva, Atkins, Bates, Caballero, Chang, Durazo, Galgiani, Grove, Hurtado, Jackson, Mitchell, Rubio, and Skinner—Relative to Women's History Month.

Senate Resolution 19: By Senators Borgeas, Bates, Dodd, and Nielsen—Relative to Greek Independence Day.



SENATE COMMITTEE ROLL CALLS**Committee on Business, Professions and Economic Development****AB 149**—Do pass and re-refer to the Committee on Appropriations

AYES (9)—Senators Archuleta, Chang, Dodd, Galgiani, Glazer, Hill, Leyva, Pan, and Wilk.

NOES (0)—None.

Date of Hearing: 2/19/2019

Glazer, Chair

Committee on Education**SB 126**—Do pass

AYES (7)—Senators Chang, Durazo, Glazer, Leyva, McGuire, Pan, and Wilk.

NOES (0)—None.

Date of Hearing: 2/19/2019

Leyva, Chair

REQUESTS TO ADJOURN IN MEMORIAM

Senator Dodd requested that when the Senate adjourns this day it do so in memory of Douglas Ford of Dixon.

Senator Nielsen requested that when the Senate adjourns this day it do so in memory of Michele Renee Nickolas of Vallejo.

Senator Stone requested that when the Senate adjourns this day it do so in memory of Marie Fowler of Temecula.

Senator Umberg requested that when the Senate adjourns this day it do so in memory of Tom Schultz of Garden Grove.

ADJOURNMENT

At 3:30 p.m., on motion of Senator Atkins, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, February 20, 2019.

NEVA MARIE PARKER, Minute Clerk

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